



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/811,580 | 03/29/2004 | Emily L. Hipp | 5760-22802 | 2084 |

7590

01/05/2006

B. Noel Kivlin
Meyertons, Hood, Kivlin
Kowert & Goetzel, P.C.
P.O. Box 398
Austin, TX 78767

EXAMINER

ENG, DAVID Y

ART UNIT

PAPER NUMBER

2155

DATE MAILED: 01/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|--------------------------------------|------------------------------------|--|
| Office Action Summary | Application No. 10/811,580 | Applicant(s) HIPP ET AL. | |
| | Examiner DAVID Y. ENG | Art Unit 2155 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11/16/2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 3-38 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 3-38 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Claims 1-2 have been cancelled. The active claims are 3-38.

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 3-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Adams (USP 6,898,636).

Adams teaches: a method comprising:

defining a global address space identifying a plurality of internet protocol (IP) addresses (inherent in network communication) that are reserved for use in one or more virtual network (see "a plurality of virtual networks" in line 10 of column 7 in Adams) environments, wherein each virtual network environment includes one or more of the plurality of IP addresses;

assigning a first IP address of the plurality of IP addresses to a first application (inherent, entities communicating with each other within a network including virtual network, assigning IP address to each of the entities is also inherent in a network);

assigning a second IP address of the plurality of IP addresses to a second application; and

if the first application is to be isolated from the second application, including the first IP address in a first virtual network environment and including the second IP address in a second virtual network environment different from the first virtual network environment, wherein the first virtual network environment is transparent to the first application, and wherein the second virtual network environment is transparent to the

Art Unit: 2155

second application (in lines 16-29 of column 20 Adams teaches that the virtual network is transparent to the users, in other words it is as if the users are using a real network).

The only difference is that Adams did not explicitly teach that if the two applications (network users) are required to be separated from each other, then them in separate virtual networks. It is well known in communication art that if two IP addresses are to be isolated, they should be assigned to different network environments so that the two applications associated with the IP addresses are separated. It would have been obvious to a person of ordinary skill in the art to assign each of the two addresses to different virtual networks. For example, in order to separate two identical postal addresses 401 Dulany Street for example, it would have been obvious to the Post Master to assign one 401 Dulany Street (IP address) in Alexandria County (virtual network) and the other 401 Dulany Street in Arlington County. The result is the two residences although having the same address are separated. No inventive concept is seen in the claims.

With respect to claim 4, it would have been obvious to a person of ordinary skill in the art to put the two IP addresses in the same environment so that the two applications associated with the IP addresses are able to communicate with each other.

With respect to claims 5, 6 and 8, It is well known that whether an IP address is virtual or physical is dependent on the environment the IP address is in.

Claim 7 merely set forth the definition of global address space.

With respect to claims 9 and 10, since the IP addresses are associated with subnet and netmask as recited in claim 7 and with first and second applications as

recited in claim 3, the subnet and the netmask are therefore naturally associated with the first and the second applications as recited in the claims.

Claim 11 merely defined what the netmask and the subnet are with respect to an application.

With respect to claims 12-14, it is obvious that whether or not the applications are able to communicate with each other is dependent on the capability of their associated IP addresses.

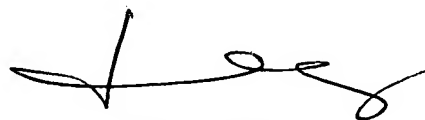
It is noted that no further method steps are recited in the dependent claims. The dependent claims merely recite either assignment of IP addresses, definition or communication between applications with their IP addresses.

As to other dependent claims, they do not define above the invention claimed in Claims 4-14 and therefore are rejected for the same reasons.

The Bhat, Mjyake, Tezuka, Salkewicz and the Hart references are cited for the teaching of plurality of virtual networks.

Applicant's arguments with respect to claims 3, 15 and 27 have been considered but are moot in view of the new ground(s) of rejection.

Any inquiry concerning this communication should be directed to DAVID Y. ENG at telephone number 571-272-3984.

A handwritten signature in black ink, appearing to read 'David Y. Eng', with a stylized, flowing script.

DAVID Y. ENG
PRIMARY EXAMINER